

REMARKS/ARGUMENTS

In view of the remarks herein, favorable reconsideration and allowance of this application are respectfully requested. Claims 1 and 4-7 are pending for further examination.

Claims 1 and 4-7 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable by Nathan et al. (WO 96/12257) in view of Radha et al. (U.S. Patent No. 6,629,318). This rejection is respectfully traversed for at least the following reasons.

Claim 1 recites, *inter alia*, “selecting an available storage area of a specified minimum size; opening a reception file on a first permanent storage means of said audiovisual data reproduction system, corresponding to the available storage area selected; receiving each packet of said file sent by the central server and directly writing each said packet sent by the central server to said reception file, each file having information representative of a type of data associated with the file; [and] for each file received, searching for a reception function to be associated with each received file based at least in part on the information representative of the type of data associated with the file.” This subject matter is not taught or suggested by the cited art, alone or in combination. Thus, the cited art, alone and in combination, does not render obvious claim 1 and its dependents.

Contrary to the Examiner’s allegations, the portions of Nathan at page 25, line 35 to page 26, line 8 and at page 26, lines 12-17 do teach or suggest the above-identified subject matter of claim 1. These passages do not reveal a management of the available storage area. Rather, these portions teach what the system does if the storage of a part of the song or the video could not be performed due to a lack of sufficient space on the disk or on the storage means. Although this portion is related to storage space, it is not the same or equivalent to selecting an available storage area of a specified minimum size as called for in claim 1. It is perhaps not all that

surprising, then, that Nathan does not involve the follow-on step of opening a reception file corresponding to the available storage area selected.

Furthermore, page 22, line 36 to page 23, line 33 of Nathan describes a communication protocol. The blocks of data during transmissions from the server to the jukebox contain information within its fields that identify the file that is being downloaded. However, Nathan does not teach or suggest that the file itself contains “specified information representative of the type of data contained in the file.” As a result, contrary to the allegations in the Office Action, Nathan also does not teach or suggest receiving each packet of said file sent by the central server and directly writing each said packet sent by the central server to said reception file, each file having information representative of a type of data associated with the file.

It follows, then, that Nathan does not teach or suggest “for each file received, searching for a reception function to be associated with each received file based at least in part on the information representative of the type of data associated with the file” as recited in claim 1.

Nathan’s “database management system” is not the same as the “reception function” of claim 1. In Nathan, the database management system manages song files, video files, and other files like software updates, database updates, or statistics. See, e.g., page 23, lines 8-13. In contrast, the claimed reception function is searched for based at least in part on the information representative of the type of data associated with the file. This search technique, which advantageously allows for the processing of each file or each type of file differently depending on the type data contained in the said file in different exemplary embodiments, is not taught or suggested in Nathan. See, e.g., the original specification at page 6, lines 27-28, indicating that each reception function is specific, either to a specific file or to a file type. In contrast to exemplary embodiments where there is a specific reception function for each file or each type of file, there is

only one database management system for all the files and all type of files in Nathan. Of course, the instant application and the claims contemplate a reception function used for received files.

Page 18, line 30 to page 19, line 2 of Nathan, however, makes clear that its database management system is used for both receipt files and in transmission.

The Office Action concedes that Nathan does not teach or suggest coping the received file to a second storage means to update a database of the audiovisual reproduction system according to the data included in the received file. As can be seen, Nathan is lacking in a number of respects.

The introduction of Radha does not make up for these numerous deficiencies. For instance, Radha does not teach or suggest selecting an available storage area of a specified minimum size or copying the received file to a second storage means in order to update a database of the audiovisual reproduction system according to the data included in the received file.

According to the Office Action, Radha discloses receiving data packets and storing the data packets in a plurality of access units based on priorities associated with the data packets. The Office Action further asserts that these priorities, associated with the data packets, correspond to the reception function of the present invention. Yet these teachings have nothing to do with a specific reception function associated with each received file. Radha simply does not teach or suggest that each received file has information representative of the type of data associated with the file.

Given the numerous deficiencies in Nathan and Radha, as well as the combination of the two, reconsideration and withdrawal of the outstanding § 103 rejection are respectfully requested.

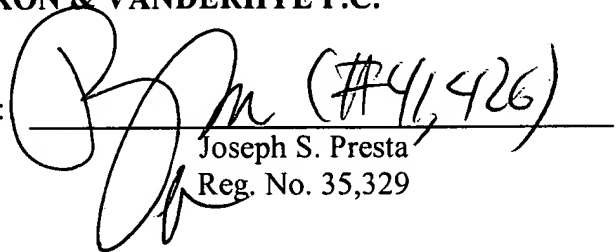
NATHAN et al
Appl. No. 09/583,863
October 12, 2010

In view of the foregoing remarks, withdrawal of the rejections and allowance of this application are earnestly solicited. Should the Examiner have any questions regarding this application, or deem that any formalities need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____

 (#41,426)
Joseph S. Presta
Reg. No. 35,329

JSP:JR/lmj
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100